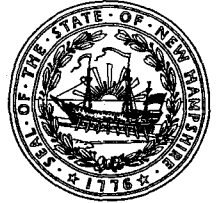




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-38**

August 12, 2004

Robert Murray
70 Nichols Dr
Stoddard, NH 03464

RE: DES Wetlands File #2003-01892 70 Nichols Drive, Stoddard

Dear Mr. Murray:

On July 27, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Stoddard Tax Map 112-20 as Lot 335 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection, the following deficiencies were documented:

1. A seasonal wharf/docking structure approximately 4-feet wide x 24-feet long with two walkways measuring approximately 4-feet wide x 8-feet long connecting the wharf to the shore on the Property. DES records indicate that a wetlands permit has not been issued for the docking facility; and
2. An L-shaped seasonal docking structure with two sections measuring approximately 4-feet wide x 10-feet long and 3-feet wide x 10-feet long had been installed approximately 40-feet from the other docking facility on the Property. DES records indicate that a wetlands permit has not been issued for this dock either.

In response, you are requested to take the following actions:

1. Within 20 days of receipt of this Letter of Deficiency, remove the two docking facilities described above. The docking facilities shall be placed out of DES Wetlands Bureau jurisdiction and relocated greater than 20-feet landward of the high water mark.
2. Within 30 days of receipt of this Letter of Deficiency, submit photographs to the DES Wetlands Bureau depicting removal of the two docking structures from the lake.
3. If you wish to continue the permitting process once the docking structures have been removed you must submit the information requested in the DES "Request For More Information" letter (attached) dated October 27, 2003. Please note that no docking structures shall be installed on the Property within DES Wetlands Bureau jurisdiction until you have received and posted an approved permit from the Wetlands Bureau. In addition, if DES does not receive the requested permit application information within 120 days of the date of this letter the previously submitted application will be denied.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

Letter of Deficiency WET #2004-38
August 12, 2004
Page 2 of 2

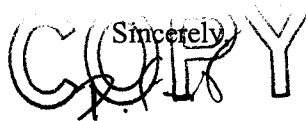
DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dale R. Keirstead, Shoreline Inspector
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dale R. Keirstead at (603) 271-2147 or by e-mail at dkeirstead@des.state.nh.us.

 Sincerely,

 Collis G. Adams, CWS
Administrator
Wetlands Bureau

Enclosure

CERTIFIED MAIL 7099 3400 0003 0688 9354

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Stoddard Conservation Commission
Stoddard Board of Selectmen
Walter F. Serbent